

Gannon Flynn NCAA ID: 2203480546

*In re: College Athlete NIL Litigation*, Case No. 4:20-cv-03919-CW

In regard to the joint report preceding the final settlement agreement

Your Honor,

I believe that the concerns I spoke about in my first objection, and in front of the court on April 7th, have not been resolved in the joint report. The parties have failed to add in a “grandfather” clause regarding roster limits in the settlement, completely disregarding the over 5,000 athletes that are going to be cut by the immediate implementing of this settlement. I believe that if this settlement is approved, it will cause immediate and irreparable harm to student athletes. Your Honor said multiple times that the best and easiest way to resolve this would be to simply grandfather us in. However, with the class council and defense council failing to reach an agreement on this matter, I must insist on behalf of the over 5,000 athletes who will be cut that this settlement does not get approved.

This settlement without some protection of the current student athletes in terms of roster limits fails to reach the fair, adequate, and reasonable standard: It is not fair for athletes (both walk-ons and scholarship) to be forced out of their roster spots with nothing in return. It is not an adequate solution to restrict athletes’ ability to compete with this implementation of roster limits. It is not reasonable to expect current athletes to waive their rights of pursuing their own claims when they will see no benefit from this injunctive relief. This settlement is required to meet the fair, reasonable, and adequate standard for each part, but it fails to do so. Over the next 10 years, this settlement brings revenue sharing to 51%, a number that isn’t sustainable and will come at the cost of the non-revenue-generating sports. The 72% of student athletes that are in non-revenue sports will see no benefit and only harm.

This settlement doesn’t just fail to protect athletes; it actively puts them in harm’s way with absolutely no compensation. We’re not here for money; we just want to compete. This settlement completely tears away our dreams, the dreams that we have dedicated our entire lives to achieving. The devastating effects of these roster limits tear away our ability to compete and provide no procompetitive justification. The roster limits will make teams smaller until athletic departments cut them entirely due to budget cuts from revenue sharing.

If it wasn’t fair to take away NIL collectives, how is it fair to strip us of our roster spots and tear apart our families? Between those of us getting cut because of this and those of us who will get cut when athletic departments are forced to cut entire programs; the non-revenue sports will disappear. If you approve this settlement, you are signing the death warrant for non-revenue-generating sports.

A handwritten signature in black ink, appearing to read "Gannon Flynn", followed by a stylized flourish or underline.